

REMARKS

Claims 1-15 were pending and under consideration.

In the Office Action of April 4, 2006, claims 1-3, 5-11 and 14-15 were rejected as anticipated by Shibuya et al (USP 6509123). Claims 4 and 12-13 were rejected as obvious over Shibuya et al. Additionally, an objection was raised against the abstract of the disclosure.

In response, and without conceding the correctness of the rejections, claims 4 and 12-13 have been placed in independent form. Claims 2-3, 5-11 and 14 have been made dependent on any of claims 4 and 12-13. Claims 1 and 15 have been cancelled. Additionally, the abstract of the disclosure has been revised.

Regarding the rejection under 35 USC 103 as it may apply to the remaining claims, that rejection is traversed at least in view of the fact that at the time this invention was made and this application was filed, this invention and application and the application leading up to U.S. Patent No. 6,509,123 were commonly owned and subject to an obligation to assign to a common entity, namely Sony Corporation. As such, the rejection is not proper pursuant to 35 USC 103(c).

Accordingly, it is submitted that claims 2-14 are patentable and that the application is in condition for allowance. Notice to that effect is requested.

Respectfully submitted,

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